

U.S. BANKRUPTCY COURT
District of South Carolina

Case Number: 05-13034-W

Settlement Order

The relief set forth on the following pages, for a total of 3 pages including this page, is hereby **ORDERED**.

UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF SOUTH CAROLINA

IN RE:

Monica Michell Foster,

DEBTOR(S).

305052-01679

CHAPTER 13
CASE NO: 05-13034-W

SETTLEMENT ORDER

This matter comes before the Court pursuant to the motion of American Home Mortgage Servicing, Inc., successor in interest to Option One Mortgage Corporation as servicer for Wells Fargo Bank, N.A., as Trustee for MASTR Asset Backed Securities Trust 2002-OPT1 Mortgage Pass-Through Certificates Series 2002-OPT1 ("Movant"), seeking the lifting of the stay as to Debtor, and the security given by Debtor to Movant. A hearing was scheduled for August 18, 2009. No objection to the requested relief was filed by the Trustee.

NOW, THEREFORE, upon motion of Movant, and with the consent of counsel for the Debtor, it is hereby

ORDERED THAT:

(1) Debtor shall cure the post-petition arrearage and pay the attorney's fees and costs in the total amount of \$3,517.71. This total amount consists of escrow of \$2,717.71, attorneys' fees in the amount of \$650.00 and costs in the amount of \$150.00.

a. Debtor shall make six (6) consecutive monthly installments of \$586.29 in addition to regular monthly payments, currently in the amount of \$588.90, beginning September 1, 2009 and continuing to February 1, 2010. Debtor shall continue to make the regular monthly payments after the arrearage is cured on February 1, 2010. **All payments shall be paid directly to Option One Mortgage Corporation, 6501 Irvine Center Drive, Irvine, CA 92618 (Loan No. xxxxx8754).**

b. That FRBP Rule 4001(a)(3) is not waived and does apply to any such Order ultimately lifting the stay.

IT IS FURTHER ORDERED THAT should the Debtor fail to make the payments described above or any subsequent regular payments within twenty (20) days from the due date, upon an ex parte showing by affidavit of that default and a proposed order, Movant shall automatically be entitled to relief from the stay so that it can proceed with its state court remedies against its security, including making demand for payment in the amount due. The ex parte provision expires two (2) years from the date of entry of this Order. Movant shall report to this Court any funds received as a result of a lawful disposition of the real property in excess of its total indebtedness plus any other valid lien against the subject property. The Movant agrees to waive any claim arising under 11 U.S.C. §503(b) or §507(b) as a result of this Order. Movant further acknowledges that any funds realized in excess of all liens, costs, and expenses, will be paid to the trustee.

I certify that this order contains a true and complete statement of the agreed upon terms of settlement between the parties.

/s/ Samuel C. Waters

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